



JPW

**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 10/777,418  
Filing Date: 02/11/2004  
First Named Inventor: Robert M. Armitano et al.  
Examiner's Name: Not Yet Assigned  
Art Unit: 2185  
Attorney Docket No.: 5693.P063X

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☒ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☐ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☐ Check(s)
- ☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Jordan M. Becker

SIGNATURE:

REG. NO.: 39,602

DATE: December 13, 2006

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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on December 13, 2006

Date of Deposit  
Cynthia Mirelez  
Name of Person Mailing Correspondence  
Signature: Date: 12/13/06

Express Mail Label No. (if applicable):



Attorney Docket No.: 5693.P063X

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application for:

Robert M. Armitano et al.

Serial No.: 10/777,418

Filing Date: 02/11/2004

For: POLICY ENGINE TO CONTROL THE  
SERVICING OF REQUESTS RECEIVED BY  
A STORAGE SERVER

Mail Stop:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner: Not Yet Assigned

Group Art Unit: 2185

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(Date of Deposit)

Cynthia Mirelez

(Printed name)

*Cynthia Mirelez*

(Signature)

(Date)

12/13/06

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Applicants note that an Office Action has been received in a related, copending application. In particular, two Office Actions for U.S. Patent Application No. 10/010,959 were mailed on 09/07/2005 and 07/24/2006. A Final Office Action was mailed on 02/23/2006. Two Office Actions for U.S. Patent Application No. 09/728,701 were mailed on 05/03/2004 and 01/31/2006. A Final Office Action was mailed on 01/07/2005. A copy of this Office Action is available through the Patent Application Information Retrieval (PAIR) system. If the Examiner so requests, Applicants will provide the Examiner with a copy of this Office Action.

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability or constitutes prior art with respect to the present invention.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

X 37 C.F.R. §1.97(b).

\_\_\_\_\_ 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

\_\_\_\_\_ A statement pursuant to 37 C.F.R. §1.97(e) or

\_\_\_\_\_ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

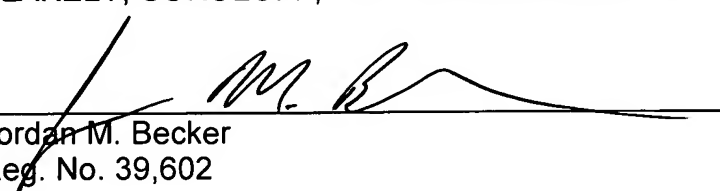
\_\_\_\_\_ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

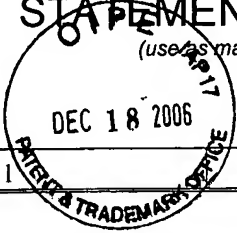
Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: December 13, 2006

  
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Substitute for Form 1449/PTO  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/777,418	
			Filing Date	02/11/2004	
			First Named Inventor:	Robert M. Armitano et al.	
			Art Unit	2185	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	2	Attorney Docket Number	005693.063X



### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
		US-	6,721,721	04/13/2004	Bates et al.	
		US-	6,785,732	08/31/2004	Bates et al.	
		US-	6,275,393	08/14/2001	Baudelot et al.	
		US-	6,327,677	12/04/2001	Garg et al.	
		US-	6,226,752	05/01/2001	Gupta et al.	
		US-	5,623,600	04/22/1997	Ji et al.	
		US-	6,189,114	02/13/2001	Orr	
		US-	6,918,113	07/12/2005	Patel et al.	
		US-	6,266,774	07/24/2001	Sampath et al.	
		US-	6,405,327	06/11/2002	Sipple et al.	
		US-	6,327,658	12/04/2001	Susaki et al.	
		US-	5,918,008	06/29/1999	Togawa et al.	
		US-	6,088,803	07/11/2000	Tso et al.	
		US-	6,338,141	01/08/2002	Wells	
		US-	6,237,114	05/22/2001	Wookey et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	EP	0	903 901		03-24-1999	TAKAHASHI		
	WO	97/39399			10-23-1997	CHEN		
	WO	97/49252			12-24-1997	SHAH et al.		
	JP	2004-523820			06/06/2002	Muhlestein		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

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<b>Substitute for Form 1449/PTO</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/010,959
				Filing Date	11/30/2001
				First Named Inventor:	Mark Muhlestein
				Art Unit	2137
				Examiner Name	Khoshnoodi, Nadia
Sheet	2	of	2	Attorney Docket Number	005693.P272X
<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T <sup>2</sup>
		JIEH-SHENG LEE "A Generic Virus Detection Agent on the Internet" System Sciences, 1997, Pages 210-219, Vol. 4 Center of Computing Services, Hua-Fan Institute of Technology, Shi-Tang, Taipei, TAIWAN			
		PCT Search Report; PCT/US0146688; 09-22-2006			
		PCT Search Report; PCT/US0151581; 10-10-2006			
		NORTHERN, PETER, ET AL. "Chapter 3 – Norton Utilities: The System Doctor Is In." and "Chapter 13 – Norton Utilities: The Better Part of Valor....," Peter Norton's Complete Guide to Norton SystemWorks 2.0, 1999, Sams.			
		WYBRANIETZ, D. ET AL. "Monitoring and Performance Measuring Distributed Systems During Operation." Joint International Conference on Measurement and Modeling of Computer System, 1988, pp/ 197-206, ACM Press, New York, NY.			
		Slashdot.com: Tux2: The Filesystem That Would Be King – Microsoft Internet Explorer 10/20/2000			

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English Translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.  
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